REMARKS

Reconsideration and allowance of the present application are respectfully requested. Claims 1-19 remain pending in the application. By this Amendment, claims 1, 9 and 14 are amended.

On page 2 of the Office Action, independent claims 1, 9 and 14, along with various dependent claims, are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,728,748 (Mangipudi et al.) in view of U.S. Patent No. 6,374,300 (Masters). On page 4 of the Office Action, dependent claim 18 is rejected under 35 U.S.C. § 103(a) as being unpatentable over the Mangipudi et al. patent in view of the Masters patent, and further in view of U.S. Patent 5,956,752 (Mathews). These rejections are respectfully traversed.

Applicants have disclosed data service system and method that include a request processor that schedules requests from external clients for transactions to be serviced by the server system based on classification contained in a classification tag of those requests having such a tag and a default classification mechanism for those requests not having an associated classification tag. For example, an application system is coupled to the server system, which includes an application engine that performs a requested transaction scheduled by the server system and provides an associated transaction response to the server system for return to the requesting external client; a business rule engine that stores business rules regarding classification of various transactions, and uses the business rules to analyze at least some of the transaction responses; and a tag generator that generates a classification tag for a particular transaction in a session based on the analysis of its associated transaction response by the business rule engine (e.g.,

page 9, lines 9-21). The classification tag generated by the tag generator is attached to its respective transaction response before it is returned to the requesting external client to be subsequently attached by that client to any succeeding requests in that session (e.g., page 13, lines 2-24).

The classification of access or user requests can be based on their processing priority (e.g., page 12, lines 19-21). In an exemplary embodiment, a server module 33 services the requests by scheduling according to the priority classification of the requests (e.g., page 12, lines 21-25).

A manner by which a tag can be generated is discussed on specification page 15, in the first full paragraph. For example, an exemplary embodiment implements the request classification function in the application system 35, but not in the request processor (e.g., page 15, lines 19-21). The application system 35 is considered to be in the best position to indicate which of the user requests should be assigned a high priority because application system 35 handles the actual transaction requested. In one exemplary embodiment, the request classification function is performed by the application system 35 as a back-end classification, and not the request processor 32 (e.g., specification page 15, lines 19-21).

The foregoing features are broadly encompassed by claim 1, which recites, among other features, a data service system that includes a request processor that schedules requests from external clients for transactions to be serviced by a server system based on classification contained in a classification tag of those requests having such a tag and a default classification mechanism for those requests not having an associated classification tag, wherein a classification tag is based on a priority-based back-end classification. Claims 9 and 14 recite similar features.

The Mangipudi et al. patent discloses a method and apparatus for policy based class of service management. The Mangipudi et al. patent discloses that the class of service is implemented as a function of the user (col. 9, lines 58-59; Fig. 4), but does not teach or suggest a tag-based classification associated with a request. The Mangipudi et al. patent discloses a scheme for load balancing among service hosts in a cluster (e.g., col. 6, lines 313-15), but does not teach or suggest a classification tag being based on a priority-based back-end classification. Accordingly, the Mangipudi et al. patent does not teach or suggest a data service system that includes a request processor that schedules requests from external clients for transactions to be serviced by a server system based on classification contained in a classification tag of those requests having such a tag and a default classification mechanism for those requests not having an associated classification tag, wherein a classification tag is based on a priority-based back-end classification.

The Masters patent does not cure the deficiencies of the Mangipudi et al. patent. The Masters patent was cited for its disclosure of a cookie information insertable in an HTTP response (col. 2, lines 32-41), but the Masters patent does not teach or suggest that a classification tag is based on a priority-based back-end classification.

The Mathews patent does not cure the deficiencies of the Mangipudi et al. and Masters patents. The Mathews patent was cited for its disclosure of a look up table for storing a relationship mapping between a client's IP address and the IP address of a server (col. 1, lines 12-19), but the Mathews patent does not teach or suggest a data service system that includes a request processor that schedules requests from external clients for transactions to be serviced by a server system

based on classification contained in a classification tag of those requests having such a tag and a default classification mechanism for those requests not having an associated classification tag, wherein a classification tag is based on a priority-based back-end classification.

Even if combined, the Mangipudi et al., Masters and Mathews patents lack at least the recited feature of a classification tag being based on a priority-based back-end classification. Accordingly, the Mangipudi et al., Masters and Mathews patents, considered individually or in combination, fail to teach or recite features recited in Applicants' claim 1.

Claims 9 recites, "wherein the classification information is based on a priority-based back-end classification"; and 14 recites "wherein each transaction classification is based on a respective priority-based back-end classification." The documents relied upon by the Examiner simply do not teach or suggest the features recited in claims 9 and 14. As such, independent claims 9 and 14, like claim 1, are allowable.

All remaining claims depend from the aforementioned independent claims and recite additional advantageous features which further distinguish over the documents relied upon by the Examiner.

All objections and rejections raised in the Office Action having been addressed, it is respectfully submitted that the present application is in condition for allowance and a Notice of Allowance is requested.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date: <u>June 30, 2005</u>   By: _____
                                   Patrick C. Keane
                                   Registration No. 32,858

P.O. Box 1404
Alexandria, Virginia 22313-1404
(703) 836-6620